

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application:

Ulf Lanz

Serial No.: 10/810,265

Examiner: W. Beisner

Filed: March 24, 2004

Group Art Unit: 1744

For: POLYMERASE CHAIN REACTION  
APPARATUS

**UPDATED RESPONSE TO THE RESTRICTION REQUIREMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313

Sir:

**Remarks**

**I. Election with Traverse:**

In response to the previous reply to the restriction requirement, an Office Communication was provided indicating the all claim 1-15 are not readable on the Figure 1 species. The Examiner believes that claims 1-5 and 11-15 read on the species of Figure 2 and claims 6-10 read on the species of Figure 1.

However, claims 1-15 read on the species of Figure 1, and at least claims 1-5 are generic.

Claim 1 recites a mixing device which communicates with the heating conduit and with the cooling conduit such that a ratio is adjustable by the mixing device. Figure 1 provides the valve 17 in the heating conduit 12 (not shown) or the cooling conduit 18 (shown). However, the specification notes that the valve 17 controls predominant flow between the heating and cooling conduits 12, 18, providing the communication for adjustable ratio. Accordingly, claim 1 reads on the species of Figure 1.

Claim 11 includes similar language and reads on the species of Figure 1. Claim 11 further notes that the valve varies one of the volume flow of the cooling and the volume flow of the heating conduits, indicating reading on the species of Figure 1.

Claim 6 reads on the species of Figure 1, but not Figure 2.